

# **Fiscal Services Division**

## **Legislative Services Agency**

### **Fiscal Note**

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HF 641 - Court Procedures and Fees (LSB 1376 HV.1)

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Fiscal Note Version – As Amended by Senate Amendment H-1971

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#### **Description**

- House File 641, as Amended by Senate Amendment H-1971, relates to the Judicial Branch practices and procedures, including issuance of a driver's license when delinquent on court obligations, and the distribution of court revenue to cities and counties, and the State. The Amendment allows waives the \$25 praecipe filing fee for political subdivisions of the State if a county attorney or their designee collects the delinquent debt. The Amendment also allows the Department of Transportation to establish an installment payment plan program for the reinstatement of a person who has a suspended driver's license.

#### **Background**

- House File 807 (FY 2006 Judicial Branch Appropriations Act) increased the filing fee for the collection of debts after an order or the debtor has received judgment.
- In FY 2006, the State General Fund received \$1.9 million in revenue from the \$25 praecipe filing fee.
- As of February 28, 2007, the State General Fund has received \$1.0 million from the \$25 praecipe filing fee for FY 2007.
- There are currently 32 county attorneys or county attorney designees that collect delinquent court debt.
- Of the delinquent debt collected, 35.0% of the amount recovered by the county attorney or their designee is deposited into the County General Fund and 65.0% is deposited into the State General Fund. Once \$1.2 million has been distributed under Section 602.8108, Code of Iowa, the remainder will be deposited as follows: 35.0% to the County General Fund, 33.0% to the county attorney or their designee, and 32.0% to the State General Fund.

#### **Assumptions**

- The \$25 filing fee will continue to be taxed as a court cost in every case, both civil and criminal.
- The Judicial Branch will continue to collect from the defendant.

#### **Fiscal Impact**

The fiscal impact of HF 641, as Amended by Senate Amendment H-1971, is anticipated to be a minimal revenue reduction to the General Fund.

#### **Sources**

Judicial Branch  
Department of Transportation

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April 24, 2007

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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